In the Claims

Please amend the claims as follows:

1-97 (Cancelled)

98. (Currently amended) A method of producing a genetically modified plant, comprising:

(a) providing at least one plant cell capable of being transformed and being generated into a whole plant;

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(b) introducing into the at least one plant cell:

(i) a repressible lethal gene encoding a gene product having an activity lethal to plant cells, and

(ii) a sense repressor gene encoding a protein ~~gene product~~ capable of repressing the activity of the gene product of the repressible lethal gene;

(c) generating a plurality of whole plants from the at least one plant cell; and

(d) selecting for a genetically modified plant descended from or derived from at least one of the plurality of whole plants by determining incorporation and mutually independent segregation of the repressor gene and the repressible lethal gene within the genetically modified plant.

99. (Previously added) The method of claim 98, wherein said introducing further comprises providing the repressible lethal gene in a first vector construct and providing the repressor gene in a second vector construct, and further comprising crossing at least two plants of the plurality of whole plants prior to said selecting.

100. (Withdrawn)

101. (Previously added) The method of claim 98, wherein said determining mutually independent segregation of the repressor gene and the repressible lethal gene comprises determining that the repressible lethal gene and the repressor gene are located on respective opposite sister chromosomes of a chromosome pair of a plant cell of the genetically modified plant.

102. (Withdrawn)

103. (Previously added) The method of claim 98, further comprising providing a tissue-specific promoter in transcriptional control of at least one of the repressible lethal gene or the repressor gene.

104. (Previously added) The method of claim 103, wherein said providing the tissue-specific promoter comprises providing a seed-specific promoter.

105. (Previously added) The method of claim 104, wherein the seed-specific promoter is a phaseolin promoter.

106. (Previously added) The method of claim 98, further comprising providing an inducible promoter in transcriptional control of the repressor gene.

107. (Withdrawn)

108. (Withdrawn)

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109. (Currently amended) The method of claim 98, wherein the repressible lethal gene is selected from the group consisting of ~~oncogenes 1 and 2~~ oncogene 1 of *Agrobacterium*, oncogene 2 of *Agrobacterium*, oncogene 4 of *Agrobacterium*, a gene encoding a ribosome inactivating protein, a gene encoding diphtheria A chain toxin, and a gene encoding a ribonuclease.

110. (Previously added) The method of claim 98, further comprising linking a gene encoding a trait of interest with the repressible lethal gene in a first vector construct, and wherein said introducing comprises introducing the first vector construct to the at least one plant cell.

111. (Cancelled)

112. (Previously added) The method of claim 98, wherein said generating the plurality of whole plants comprises generating at least one plant which is homozygous for the repressible lethal gene and the repressor gene.

113. (Previously added) The method of claim 112, further comprising crossing the at least one plant which is homozygous for the repressible lethal gene and the repressor gene with a second plant to produce the genetically modified plant.

114. (Withdrawn)

115. (Withdrawn)

116. (Withdrawn)

117. (Withdrawn)

118. (Withdrawn)

119. (Withdrawn)

120. (New) A method of producing a genetically modified plant, comprising:

(a) providing at least one plant cell capable of being transformed and being regenerated into a whole plant;

(b) introducing into the at least one plant cell:

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(i) a repressible lethal gene encoding a gene product having an activity lethal to plant cells, the gene product selected from the group consisting of proteins encoded by oncogene 1 of *Agrobacterium*, oncogene 2 of *Agrobacterium*, oncogene 4 of *Agrobacterium*, and derivatives of any thereof;

(ii) a sense repressor gene encoding a protein capable of repressing the activity of the gene product of the repressible lethal gene;

(c) generating at least one whole plant from the at least one plant cell; and

(d) screening for mutually independent segregation and homozygosity of the repressible lethal gene and the sense repressor gene within the at least one whole plant or within a plant derivative, component, or progeny thereof.